

WOMEN SECURED. PAPER SECURED.

Decision Is Not So Sweeping as Mr. Whalen First Claimed.

BUT FEW ARE IN DANGER

City Regulations Must Now Go to the State Civil Service Board.

TEXT OF OPINION RECEIVED.

Charles H. Knox Insists That Another Case Is Needed to Decide the Question of Local Over State Authority.

The text of the Civil Service decision by the Court of Appeals was received in the Law Department yesterday, and after studying it Corporation Counsel Whalen concluded that it was not as sweeping as he at first claimed.

It does legalize all Mayor Van Wyck's removals and appointments from January 1 to July 1 this year. It protects and secures the emoluments of office to nearly six thousand city employees by legalizing the New York Civil Service rules as applied up to March 31. Fortunately this will prevent that condition of chaos which was threatened by turning most of the Mayor's subordinate appointees out of office. But the decision leaves little doubt that the small number of removals and appointments made since July 1 may have to be reconsidered.

Mr. Whalen in a statement yesterday declared that in George E. Lee's case against President Keller, of the Charities Department, wherein he sought to have himself reinstated as superintendent of the New York City Hospital, two questions were raised, both in the Appellate Division of the Supreme Court in this county and in the Court of Appeals. First, whether the Civil Service law, as an amendment to the Civil Service law of the State, applied to the city of New York. Second, whether if it did apply it could be given an effect which would invalidate all existing Civil Service regulations in this city. He then stated:

The Appellate Division passed squarely on the first point, and held that the amendment of 1892 to the Civil Service law of the State did not apply to the city of New York, and decided the case entirely upon that ground. In the Court of Appeals Judge Gray wrote an opinion also sustaining the contention of the city on both grounds, namely, that the law of 1892 did not apply to the city, and that if it did it did not make invalid the rules promulgated by the Mayor.

The Court of Appeals has, however, decided the case upon the second ground only, namely, that even assuming that the law of 1892 applied to the city of New York, the Mayor had no power to approve Civil Service regulations.

This brings the vital question of home rule only down to July 1, and Judge Gray, in one paragraph of his opinion, says:

Not being a remedial statute, the act of 1892 (the Civil Service law) should not be construed upon cases which shall operate upon the future, when, as in the case of the present, the civil service regulations are made by the Mayor, and the Mayor is not the one to be affected by the act.

It is not a remedial statute, the act of 1892 (the Civil Service law) should not be construed upon cases which shall operate upon the future, when, as in the case of the present, the civil service regulations are made by the Mayor, and the Mayor is not the one to be affected by the act.

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GEORGE BRADY CAN'T BULLDOZE.

McCullagh Must Tell District-Attorney About His Warrants.

THEY ARE PUBLIC RECORDS

John F. McIntyre Says He Will Act in the Matter Without Delay.

GRAND JURY THROWS OUT CASE

No Evidence Against Brady, Said to Have Registered Illegally. What McCullagh Has Done.

"Mr. McCullagh must communicate the contents of those warrants to the District-Attorney's office at once. This office is entitled to all the information, and we shall demand it."

"If McCullagh has warrants for illegal registration he must execute them speedily. Evidently the object and purpose of obtaining these warrants is to hold them over people's heads—to terrorize them. This will not be permitted. District-Attorney Gardner has demanded me to attend to this matter, and Mr. McCullagh will be notified at once."

"This office is determined to give the legally registered voter protection in the exercise of his rights on election day. We are determined that there shall be no bulldozing, and we will indict Mr. McCullagh and his deputies or any attempt at intimidation as quickly as anybody else."

"The Force law is unquestionably unconstitutional. No citizen of this city need feel any alarm about its unjust enforcement."

"Any man who has the right to vote and who is prevented and thwarted in an election day will be protected, and the District-Attorney's office will see to it that every one who unlawfully interferes with a lawfully registered voter will be immediately arrested and indicted."

"I repeat that these warrants must be speedily executed. They are public records, and he must show them to us. They cannot be held as clubs over the heads of registered voters to be used on election day."

The Grand Jury yesterday threw out the second case of alleged fraudulent registration brought by Force Law Superintendent McCullagh and his deputies. It was shown that there was absolutely no evidence against the prisoner, and the unfortunate voter who had been confined in the House for nearly a week was discharged from custody.

The name was George Brady. He registered in the First Election District of the Sixth Assembly District, from the lodging house kept by John F. McIntyre, at No. 102 Allen street. John C. Parker, arrested Brady and charged that he was a former convict named Peckham.

The Grand Jury, however, found that the name was not the name of a convict, and that the man was not the man who was charged. The Grand Jury, therefore, threw out the case.

It is a Class Law. McCullagh is trying to defend the action of his deputies, said to a Journal reporter yesterday.

"This law was not intended to apply to you or to me or to a man who lives in a house, but to a man who lives in a house, and who is not a man who lives in a house."

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MRS. PAGE GOT WATSON; MRS. WATSON WANTS CASH.



Mrs. Ella Mae Watson.

She is suing Mrs. Antoinette Page in the Supreme Court for \$50,000 damages for marrying Mr. Watson while she (Mrs. Watson) was a member of a travelling dramatic company.

Magistrate Knickerbocker adjourned the case, holding \$100,000 in \$300 bills for examination on a charge of violating Section 48 of the Penal Code. Former Alderman Philip Benjamin furnished the bond.

Another "Suspect" Discharged. George W. Watson, who was arrested and arraigned before Magistrate Cornell in the Centre Street Police Court, charged with illegal registration a few days ago, was released after a hearing.

The Promise. The men will make several arrests on Friday; they will make more on Saturday, and they will make a lot of arrests on Sunday.

The Performance. Discharged at police station... 10. Discharged in police court... 1. Discharged by Grand Jury... 1. Awaiting action by Grand Jury... 1. Arrested yesterday... 1. Total cases pending... 1.

Chief Devery declined yesterday to discuss McCullagh and his methods. Antonio Jastrica, of No. 24 West Sixtieth street, who was arrested by Police Officer Kelly, was held for examination to-day in the West Side Court on the charge of illegal registration in the Nineteenth Assembly District.

Election Inspector Arrested. Simon Spilwick, of No. 150 Eldridge street, a Tammany election inspector of the Ninth Election District of the Eighth Assembly District, was arrested yesterday by Force Law Deputy Harris on the affidavit of Max Landrowsky, of No. 102 Allen street.

Landrowsky said that Spilwick came to him last Monday and showed him a card on which were the names of William O'Brien and John Murphy. He said that Spilwick told him that those two men had registered from room 10 in No. 102 Allen street, and he asked him whether or not he lived there.

He told the deputy that they did not live there at all. Lawyer Goldsmith, for Spilwick, said the arrest was an outrage. He asked that the case be tried at once. Lawyer Dittler, for the prosecution, asked for a postponement.

Anything to Advertise? Use Sunday Journal "Wants." Largest circulation. Results Monday morning.

WASHINGTON, OCT. 28.—The President, after the Cabinet meeting to-day issued the following Thanksgiving proclamation:

By the President of the United States.

A PROCLAMATION.

The approaching November brings to mind the custom of our ancestors, hallowed by time and rooted in our most sacred traditions, of giving thanks to Almighty God for all the blessings he has vouchsafed to us during the past year.

Few years in our history have afforded such cause for thanksgiving as this. We have been blessed by abundant harvests, our trade and commerce have been wonderfully increased, our public credit has been improved and strengthened, all sections of our common country have been brought together and knitted into closer bonds of national purpose and unity.

The skies have been for a time darkened by the cloud of war; but as we were compelled to take up the sword in the cause of humanity, we are permitted to rejoice that the conflict has been of so brief duration and the losses we have had to mourn, though grievous and important, have been so few, considering the great results accomplished, as to inspire us with gratitude and praise to the Lord of Hosts.

We may land and magnify His holy name that the cessation of hostilities came so soon as to spare both sides the countless sorrows and disasters that attend protracted war.

I do, therefore, invite all my fellow-citizens, as well as those who may be at sea or sojourning in foreign lands, to set apart and observe Thursday, the 24th day of November, as a day of national thanksgiving, to come together in their several places of worship, for a service of praise and thanks to Almighty God for all the blessings of the year, for the mildness of the seasons and the fruitfulness of the soil, for the continued prosperity of the people, for the devotion and valor of our countrymen, for the glory of our victory and the hope of a righteous peace, and to pray that the Divine guidance which have brought us heretofore to safety and honor may be graciously continued in the years to come.

In witness whereof, etc.

JOHN HAY, Secretary of State.

Justice Beach and a Jury Listen to the Harrowing Details.

BOTH WOMEN BEAUTIES.

But Mrs. Page, Brunette, Was Coy, and Fled, Leaving the Court Dismayed.

PLAINTIFF, BLONDE, ACTRESS.

Finding the Stage Poor Pay She Decided That Her Husband Was Worth to Mrs. Page \$50,000.

Mrs. Ella Mae Watson had a husband whom she valued at \$50,000, according to some queer feminine method of appraisal which no mere man may ever hope to understand.

When Mrs. Ella Mae Watson came back to New York after a brief introduction to the mimic world behind the footlights she found Mrs. Antoinette Page in possession of that husband. Mrs. Page had married him for a purpose. She had had two husbands before, and calmly expressed her intention to retain the new one whom she had acquired by a Jersey marriage during the absence of Mrs. Watson.

Accordingly Mrs. Watson, having found the service of Mornus unsatisfactory and unprofitable, by her attorneys, Howe & Hummel, sued Mrs. Page for \$50,000, conjectural value of that husband's sickle affections.

The hearing was begun on this suit in Trial Term, Part VII, of the Supreme Court, yesterday, before Justice Beach and a jury.

Mrs. Watson is beautiful. Her eyes are blue; her hair is golden. Her features reproduce the classic ideal of Phidias. She is divinely tall, and her curves would have delighted Hogarth. She appeared in court in a rich tailor-made costume, with a big black picture hat perched jauntily on her coronet of yellow hair.

Mrs. Page was not in the court room, but had been seen fluttering about the ante-rooms and corridors before the trial began. She is pretty—very pretty. Her type of beauty is antithetical to that of which the gods have blessed Mrs. Watson.

Mrs. Page is petite, brunette. She is a woman of the Court of the woe of 1880. Mrs. Hummel adopted the sympathetic purport of legal action.

We were married to Thomas Watson in Madisonville, Ky., June 24, 1884," announced the little attorney solemnly. "Mrs. Watson was a wealthy young man, the owner of the Edgewood stock farm and bred high class horses. We lived in this farmhouse, near Guinea, a small village, till 1888. We were happy. In the winter of 1888 Watson ran a hotel at Barrow, Fla. We assisted him as a good wife should. We came to Boston, then to New York in Lake Erie Railroad."

"The family fortunes were not then what they had been. My client, anxious to help her husband, sought employment. She found it as an actress with different dramatic companies."

"Early in 1894 we saw in the New York Sun a long notice of the marriage of Mrs. Antoinette Page and Thomas Watson. That marriage had been celebrated in Bayonne, N. J., without our knowledge. Our heart was broken, our ambition shattered by the shock."

"Hummel went on to tell how Mrs. Watson had flown to New York to seek her husband and learn the worst. She found him at Glen Island employed by the Edison Electric Company. "We denied the truth of the newspaper report."

"I call Antoinette Page as my first witness," concluded Mr. Hummel, dramatically.

There was a flurry among the counsel for Mrs. Page. Lawyer Snedeker, attorney of the case, said Mrs. Page had not been subpoenaed and that her attendance could not be compelled.

"We'll see whether they'll try this case without the presence of the defendant!" shouted Mr. Hummel.

Justice Beach granted a brief adjournment while clerks for Mr. Hummel and clerks for Mr. Snedeker sought Mrs. Page. They found her with a clerk on either side. Mrs. Page stood hesitating in the door of the court room.

"Come in, Mrs. Page; you're wanted as a witness," shouted Mr. Hummel.

"Are you an officer of this court, sir?" fiercely demanded Mr. Snedeker.

"Mr. Am, sir, as a lawyer, so are you, sir," responded Mr. Hummel.

Mrs. Page didn't wait for further argument. Daintily picking up her rustling skirts, she hurried down the long corridor, down the winding stairs and into the street.

The jury was withdrawn and the case was adjourned until the first Monday in November. Meanwhile the case was being argued in the case of the elusive Mrs. Page.

Started Curybees Dance in the Street. Police Officer was horrified yesterday morning to see five elderly women dancing on the sidewalk in Forsyth street to the music of a hand organ.

The policeman called a patrol wagon and the five women, who were dressed in the costumes of the Curybees, were taken to the police station.

They were Kate McKee, Nellie Wilson, James Brown, Gillie and Annie Gillie. The youngest is fifty-seven years of age, and the eldest is seventy-six.

In their halcyon days they were ballet dancers at the Grand Opera House. They were sent to the workhouse for three months.

In travelling between California, Oregon, Washington and Idaho, the Curybees, who are now in the city, are the only ones of their kind in the world. Office 353 Broadway, N. Y.

WASHING, OCT. 28.—The President, after the Cabinet meeting to-day issued the following Thanksgiving proclamation:

By the President of the United States.

A PROCLAMATION.

GRAND MOEST IN THE CLAIMS.

Republicans Fall to 40,000 as Figures on Roosevelt's Plurality.

HOPE IN NEW YORK CITY.

To Get Any Plurality They Place Van Wyck's Lead Here Below 50,000.

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A PROCLAMATION.

TEDDY'S REPORT? OH, DEAR, NO!

General Corbin Refuses to Give the Document to the Journal.

HE FOLLOWS ALGER'S LEAD

Fears the Colonel's Statement Is Wanted for "Political Purposes."

BUT WHY IS IT SUPPRESSED?